

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

UNITED STATES OF AMERICA)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No. 05-18-JJF
)	
ANDRES RODRIGUEZ,)	
)	
Defendant.)	

MOTION FOR CONTINUANCE OF TRIAL

Defendant, Andres Rodriguez, by and through his undersigned counsel, Penny Marshall, hereby moves the Court for an order scheduling the trial at date greater than that allowable under the Speedy Trial Act. Counsel submits the following in support thereof:

1. Defendant's Counsel has been advised that the government is doing further investigation of Mr. Rodriguez in addition to the charged indictment.
2. The Defense hereby moves for a continuance and the exclusion of time as calculated by the Speedy Trial Act to allow the Defense additional time to negotiate a potential resolution of his matters.
3. The Defense requests the Court to schedule a trial date outside of that normally allowable under the Speedy Trial Act, 18 U.S.C. Section 3161(c)(1). Furthermore, the Defense asserts that relief from the Speedy Trial Act is in their best interest and that a continuance is in the interests of justice.
4. AUSA Adam Safwat does not oppose this request for a continuance.

WHEREFORE, Mr. Rodriguez respectfully requests that the Court schedule pre-trial hearings and trial at a date outside of what is normally required by the Speedy Trial Act.

/S/
PENNY MARSHALL, ESQUIRE
Federal Public Defender
704 King Street, Suite 110
Wilmington, Delaware 19801
Attorney for Mr. Rodriguez

DATED: June 10, 2005

CERTIFICATE OF SERVICE

The undersigned attorney for defendant hereby certifies that the attached Motion for Continuance of Trialis available for public viewing and downloading and was electronically delivered on June 10, 2005, to:

ADAM SAFWAT, ESQUIRE
Assistant U.S. Attorney
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Wilmington, Delaware 19801

/S/
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Attorney for Mr. Rodriguez

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ORDER

In response to Mr. Rodriguez' motion, this Court hereby Orders on this _____ day of June, 2005, that Defendant Rodriguez' pre-trial motion hearing and trial shall be scheduled for a date outside of that normally allowable by the Speedy Trial Act. The Court finds that such a continuance of the Speedy Trial Act is in the interest of justice.

Honorable Joseph J. Farnan, Jr.
U.S. District Court